

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**DONALD PADILLA,**

**Plaintiff,**

v.

**No. CV 10-1234 LAM/SMV**

**CAROLYN W. COLVIN,<sup>1</sup> Commissioner  
of the Social Security Administration,**

**Defendant.**

**ORDER OF REMAND**

**THIS MATTER** is before the Court pursuant to the Order and Judgment entered by the United States Court of Appeals for the Tenth Circuit in Case No. 12-2097 (D.C. No. 1:10-CV-01234-LAM-SMV (D. N.M.)) on May 9, 2013, which reversed and remanded this case and directed that the case be remanded to the Commissioner of Social Security to consider the additional evidence submitted after Plaintiff's hearing with the administrative law judge.<sup>2</sup>

**IT IS THEREFORE ORDERED** that this case is **REMANDED** to the Commissioner of Social Security for further proceedings to consider the additional evidence submitted after Plaintiff's hearing with the administrative law judge, consistent with the Tenth Circuit's Order and Judgment entered in Case No. 12-2097 (D.C. No. 1:10-CV-01234-LAM-SMV (D. N.M.)) on May 9, 2013.

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<sup>1</sup>Pursuant to Fed. R. Civ. P. 25(d), Ms. Colvin, who is the new Commissioner of the Social Security Administration, was automatically substituted as the named defendant in this case in place of the former Commissioner, Michael J. Astrue.

<sup>2</sup>A certified copy of the Order and Judgment, issued on May 9, 2013, as the mandate of the Tenth Circuit, was filed in this case on July 1, 2013, as part of *Document 33*.

**IT IS SO ORDERED.**

*Lourdes A. Martinez*  
**LOURDES A. MARTÍNEZ**  
**UNITED STATES MAGISTRATE JUDGE**  
**Presiding by Consent**